



Panel Discussion:

Supporting State action against torture and ill-treatment in Africa

Organised by *the Committee for the Prevention of Torture in Africa (CPTA) of the ACHPR and the Convention against Torture Initiative (CTI)*

64th Ordinary Session of the ACHPR

Saturday, 27 April 2019 | 15:00 – 16:00

Sharm El Sheikh, Egypt

Concept Note

Background

1. The Committee for the Prevention of Torture in Africa (CPTA) was established by the African Commission on Human and Peoples' Rights (ACHPR) to promote implementation of the Guidelines and Measures for the Prohibition and Prevention of Torture, Cruel, Inhuman or Degrading Treatment or Punishment in Africa (the Robben Island Guidelines), adopted by the ACHPR in 2002. The CPTA further promotes implementation of the United Nations Convention against Torture (UNCAT or the Convention), which is the primary global treaty guiding States on effective torture prevention and response. 50 African States have ratified UNCAT, which complements Article 5 of the African Charter on Human and Peoples' Rights (African Charter), both instruments having been drafted contemporaneously. For its part, UNCAT has a practical focus, providing concrete steps to prohibiting and eradicating the practice.
2. Since the launch of the Convention against Torture Initiative (CTI) in 2014, a cross-regional, inter-governmental initiative led by the governments of Chile, Denmark, Fiji, Ghana,

Indonesia and Morocco and driving towards global ratification of UNCAT by 2024,¹ six African States have ratified or acceded to the Convention and momentum is building.² With only four countries left to ratify UNCAT in Africa, Africa is poised to achieve regional universality of UNCAT in the near future, and is likely to become the first region outside Europe to do so. The CPTA welcomes these positive developments.

3. There appear to be no political or legal obstacles to regional universality of UNCAT in Africa. Achieving this milestone would send a positive message globally as well as regionally. While there remain challenges to implementation, there are also many good State practices to be shared, for example in relation to the adoption of anti-torture legal frameworks or specific policies and standards, the training of relevant authorities, and the establishment of truth and reconciliation mechanisms.

Objectives

4. The overall objective is to inspire solidarity for regional universal ratification of UNCAT in Africa and reduce the risk of excesses by improving implementation of both UNCAT and the African Charter. The specific objectives include:
 - Highlighting the benefits of ratifying and implementing UNCAT and the African Charter, by illustrating the direct impact of ratification on domestic laws and policies with concrete examples.
 - Identifying support that is available from the CPTA, CTI and others to overcome potential challenges to ratification and active implementation of UNCAT and the African Charter.

Draft Agenda

- *Welcome remarks, introduction of panel and panelists* – Chairperson of CPTA, Commissioner Hatem Essaiem [5 minutes]
- *CPTA support to States to actively prevent torture and ill-treatment in Africa* - CPTA Member, Commissioner Lucy Ausagbor [7 minutes]
- *Ratifying and implementing UNCAT and the African Charter: galvanizing support for African regional universal ratification and opportunities for domestic reform* – H.E. Ambassador Dr. Winfred Nii Okai HAMMOND, Ambassador of Ghana to the Arab Republic of Egypt, [7 minutes]
- *Why ratify UNCAT: Sharing the experience of The Gambia* - Mr Cherno Marenah, Solicitor General and Legal Secretary, Ministry of Justice, The Gambia [7 minutes]

¹ CTI is a State initiative supporting other States in ratifying and implementing UNCAT. CTI's vision is that by 2024, the risk of torture and other ill-treatment will be reduced as every State will have ratified UNCAT and its implementation will be improved. CTI works through international cooperation, dialogue and by providing technical assistance to States, and has carried out numerous activities throughout Africa in which 36 African countries have participated to date.

² These countries are: Central African Republic, Comoros, Eritrea, The Gambia, São Tomé & Príncipe and South Sudan.

- *Domesticating UNCAT to prevent and protect against torture: the role of the UN Committee against Torture* – M. Abdelwahab Hani, Member, UN Committee against Torture **[7 minutes]**
- Plenary discussions moderated by Commissioner Essaiem **[20 minutes]**
- Concluding remarks by Commissioner Essaiem **(5 minutes)**